

ALEX G. TSE (CABN 152348)  
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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. 18-CR-68-EMC  
Plaintiff, )  
v. )  
HOWARD ANTHONY FRAZIER, ) [PROPOSED] ORDER OF DETENTION  
Defendant. )  
)

The parties appeared before the Honorable Joseph C. Spero on May 11, 2018, for a detention hearing. The defendant was present and represented by Chief Assistant Federal Defender Geoffrey A. Hansen. The government was represented by Assistant United States Attorney Ravi T. Narayan. The government moved for detention, arguing that no condition or combination of conditions of release would reasonably assure the appearance of the defendant or the safety of the community and any person.

In support of its motion for detention, the government proffered information about the nature and circumstances of the offense, including: that on December 30, 2017, a witness saw the defendant threaten another man with a firearm; that the defendant fled from police when police approached him; that officers saw him dispose of a loaded firearm; and that officers recovered heroin, methamphetamine,

1 and cocaine from the defendant's person after arresting him. Counsel for the defendant proffered that  
2 the defendant suffered from a serious heroin addiction, and that the defendant wished to receive  
3 treatment to resolve that addiction.

4 The Court considered the proffers of both the government and the defendant. The Court found  
5 that that the defendant had a serious criminal record, which included felony convictions for drug  
6 trafficking offenses, robbery, and child cruelty, as well as a prior conviction for being a felon in  
7 possession of a firearm. The Court noted that the defendant violated the conditions of his probation or  
8 parole on at least eight prior occasions. Based on the defendant's serious criminal record, his prior  
9 performance on supervision, and the information proffered by the parties, the Court concluded by clear  
10 and convincing evidence that the defendant posed a danger to the community and by a preponderance of  
11 the evidence that no combination of conditions would reasonably assure his appearance at future court  
12 proceedings.

13 Pursuant to its findings on the record at the hearing, and as summarized in this Order, the Court  
14 orders the defendant detained pending further proceedings in this matter. The defendant is committed to  
15 the custody of the Attorney General or a designated representative for confinement in a correctional  
16 facility. The defendant must be afforded a reasonable opportunity to consult privately with counsel. On  
17 order of a court of the United States or on request of an attorney for the government, the person in  
18 charge of the corrections facility must deliver the defendant to the United States Marshal for a court  
19 appearance.

20 IT IS SO ORDERED.

21  
22 DATED: May <sup>15</sup>~~14~~, 2018

  
23 HON. JOSEPH C. SPERO  
24 Chief United States Magistrate Judge  
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